

MEMORANDUM

TO: All Interested Parties

FROM: CDP Staff

DATE: October 5, 2022

RE: **COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY BRENDA CRAWFORD**

INTRODUCTION:

Brenda Crawford filed a challenge relating to the actions of the Solano County Democratic Central Committee (SCDCC). The challenge alleges that the SCDCC Parliamentarian, Lynette Henley sanctioned an unauthorized consent calendar during their monthly meeting held on August 26th, by reversing the results of the SCDCC endorsement vote from a special endorsement meeting held on August 22, 2020 violating CDP Bylaws Article, VIII, Section 4(c)3. Ms. Crawford further alleges that, Ms. Henley promoted and fostered a hostile environment, which is in violation of the CDP's Code of Conduct.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

CDP Staff received the following documents associated with the challenge:

1. Challenge submitted by Ms. Crawford on September 1, 2020
2. Responses opposing the challenge were submitted by Corey Penrose, Morgan Hannigan, Lynette Henley and improperly submitted testimony Verneal Brumfield and Tiffany Jones
3. Responses supporting the challenge were submitted by Paula Bauer, Kari Birdseye, Kandi Bloomquist, Brenda Crawford, Susan George, Kathy Kerridge, Michelle Pellegrin, Karen Sims, Pat Toth-Smith and Steve Young

TIMELINESS:

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”

(All By-Law references are to the California Democratic Party Bylaws, as amended through July 2020, unless otherwise indicated.)

Ms. Crawford filed her challenge within 7 days of the August 26, 2020 incident, and thus, the challenge was timely.

STANDING:

According to Article XII, Section 3:

“Any party to a challenge must be adversely affected to bring the challenge.”

The challenger and the undersigned proponents are all elected and appointed members and allege that their right to participate was undermined by a faction of the SCDCC who did not like the outcome of the August 22nd special endorsement meeting.

JURISDICTION:

Article XII, Section 2 states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws.”

Further, the CRC Procedural Rules, Section 2, B. 2. state in pertinent part that a challenge must,

“Explain[] the basis of CRC’s jurisdiction... If the CRC cannot discern the section of the CDP Bylaws alleged to have been violated or which grants jurisdiction to the CRC, it may dismiss the challenge.”

Jurisdiction did not have to be reached because the challenge was found moot.

FINDINGS AND ORDER:

Based upon the above facts and the Bylaws of the CDP, the CRC makes the following Findings and Orders:

- 1) The CRC finds the September 1, 2020 challenge by Ms. Crawford to be moot as the General Election for their endorsements has already occurred and the remedy requested is beyond the authority of the CRC.
- 2) The CRC finds that no jurisdiction would have been made regardless of the mootness of this challenge as the allegations of the violation of the CDP Bylaws Code of Conduct are not in the purview of the CRC.
- 3) In addition to the Code of Conduct violation allegations, the Endorsement of the SCDCC are not the endorsement of the CDP as their Bylaws are not in accordance with the requirements of the CDP’s County Bylaws process per CDP Bylaws Article, VIII, Section 4(c)3.
- 4) The CRC notes that the purpose of the CRC is not to referee internal political disputes, which should be dealt with using processes outlined by the SCDCC Bylaws

- 5) The CRC notes that the challenge to the CRC should be made on substantive procedural or bylaw violations and not because a certain, desired outcome wasn't achieved
- 6) The CRC finds disturbing the allegations of inappropriate behavior by the body and encourages all members to act in a courteous and respectful manner in accordance with our core democratic values and hopes and expects people to conduct themselves appropriately at all Democratic Party meetings.

Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before October 17, 2022 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of CDP Rules Committee upon conclusion of the response period.

Please note that per CDP Bylaws, Article XII, Section 2e, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person or virtually, depending on how the meeting is being conducted, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on Monday, October 17, 2022, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 5-0 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee

Nicole Fernandez, Co-Chair, Rules Committee

Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC

Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC

Keith Umemoto, Co-Chair, Credentials Committee